

Attorney Docket No. 57761.000137
GE Docket No. 11RC-4959
Application Serial No. 09/877,226

REMARKS

Claims 1-25 are pending in the application. By this Amendment, claims 1, 11, 12 and 22 are amended and claims 23-25 are added. Reconsideration and allowance in view of the foregoing amendments and following remarks are respectfully requested.

Support for the amendments may be found in claim 1, paragraph 33, paragraph 38, page 2 of the Provisional Application filed June 9, 2000, and in the drawings, for example.

Claims 23-25 are added to recite further features of the invention.

I. The Claims Define Patentable Subject Matter

A. The Rejection of Claims 1, 3-5, 10, 12, 14-16 and 21

The Office Action rejects claims 1, 3-5, 10, 12, 14-16 and 21 under 35 U.S.C. 102(e) as unpatentable over U.S. Patent 6,236,332 to Conkright et al. (Conkright). This rejection is respectfully traversed as it pertains to amended claim 1.

Claim 1 is amended to recite a system for monitoring a utility substation comprising monitoring equipment operatively connected to a utility substation for monitoring operating conditions of the utility substation; the monitoring equipment being operatively connected to an application service provider through a first communication network, the application service provider being provided with a program to effect the monitoring; one or more network interface devices operatively connected to the application service provider by a second communication network for receiving notification of operating conditions of the utility substation monitored by the monitoring equipment, at least one of the network interface devices being in the form of a computer system, the at least one provided with a device program for communicating with the

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application service provider, the device program being substantially not uniquely adapted for said monitoring.

The Examiner's comments regarding the features of claim 1 vis-à-vis the applied art, and the claimed feature of an application service provider, have been carefully reviewed and considered. In response to the Examiner's comments, claim 1 has been amended to further define the distinguishing aspects of Applicant's invention.

That is, it is respectfully submitted that claim 1 is amended to recite features further clarifying the claimed utilization of an application service provider. In accordance with one illustrative embodiment of the invention, the network interface device might use a browser like NETSCAPE or EXPLORER. That is, persons who wish to perform the monitoring can do so from any computer that has Internet access, i.e., a computer that is not uniquely adapted for performing the monitoring. These features are in contrast to the teachings of Conkright.

The features of Conkright were discussed in some detail in the June 16, 2003 Response. As has been previously noted, Conkright teaches that the subscriber software 30 is adapted for each application (e.g., monitoring utilities, monitoring traffic flow, monitoring lighting, etc.), and *the customers 24 install the software on a personal computer (PC) at their home or office.* This gives the customers desktop control of their applications and allows the customers to create a database on their computers for each remote unit within their particular application. Conkright describes that data is preferably transmitted between each customer's computer and the host computer 22 via telephone lines and modems.

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Accordingly, Conkright does indeed teach that a customer 24 may be provided with a processing system and that such processing system may interface with Conkright's host computer 22. However, of particular note, Conkright teaches that the customers 24 install the software on a personal computer (PC) at their home or office. It is respectfully submitted that such teaching of Conkright teaches away from the features of amended claim 1. That is, claim 1 has been amended to reflect, for example, the situation in which a standard browser is utilized to interface with the claimed application service provider. This aspect of claim 1 is embodied in the language "at least one of the network interface devices being in the form of a computer system, the at least one provided with a device program for communicating with the application service provider, the device program being substantially not uniquely adapted for said monitoring."

That is, Conkright teaches that the subscriber software 30 is adapted for each application (e.g., monitoring utilities, monitoring traffic flow, monitoring lighting, etc.). This teaching of Conkright is fundamentally different than the claimed invention. That is, Applicant respectfully submits that the subscriber software 30 of Conkright is indeed substantially uniquely adapted for said monitoring.

Accordingly, it is respectfully submitted that claim 1 defines patentable subject matter for the reasons set forth above. Further, it is submitted that claim 12 defines patentable subject matter for reasons similar to those set forth with respect to claim 1.

Further, dependent claims 3-5, 10, 14-16 and 21 define patentable subject matter based on their various dependencies on such independent claims, as well as the additional features such

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dependent claims recite. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

B. The Rejection of Claims 2 and 13

Claims 2 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conkright in view of U.S. Patent No. 5,406,495 to Hill. This rejection is respectfully traversed.

Hill is directed to substation load distribution monitor system. The Office Action asserts that Conkright teaches all of the features of the claimed invention except for including monitoring equipment for measuring the voltage of the utility device. The Office Action attempts to cure the deficiencies of Conkright with the teachings of Hill.

Specifically, the Office Action asserts that Hill teaches a substation load distribution monitoring system comprising remote data units for sensing operating conditions of the power equipment (column 3, lines 20-29) including periodic voltage and current data (column 1, lines 48-55); and that Hill also teaches that the remote data units communicate with a host computer over a communication network to transfer measured data (column 3, lines 4-17).

The Office Action further asserts that it would have been obvious to one having ordinary skill in the art to modify the invention of Conkright to include monitoring equipment for measuring the voltage of the utility device, as taught by Hill, because Conkright teaches a system for use in a plurality systems including a system employing condition monitoring over an AC power line (column 7, lines 9-11) and Hill suggests that the combination would have provided an improved-accuracy and simplified method of remote monitoring in a power system (column 1,

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lines 7-15), and therefore provided higher protection, by monitoring the voltage and current rather than just the current (column 6, lines 48-66).

However, it is respectfully submitted that even if it were obvious to somehow combine the teachings of Conkright with Hill, such combination would fail to teach or suggest the invention of claims 1 and 12, as discussed above. The disclosure of Hill and the asserted combination in the Office Action fail to cure the deficiencies noted above.

Accordingly, it is respectfully submitted that the applied art, either alone or in combination, fails to teach or suggest the features as set forth in claims 1 and 12. Thus, dependent claims 2 and 13 define patentable subject matter based on their various dependencies on such independent claims 1 and 12, as well as the additional features such dependent claims recite. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

C. The Rejection of Claims 7-9 and 18-20

Claims 7-9 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conkright in view of U.S. Patent No. 6,006,171 to Vines et al. (Vines). This rejection is respectfully traversed.

As discussed in the June 16, 2003 Response, Vines is directed to a dynamic maintenance management system. The Office Action asserts that Conkright teaches all of the features of the claimed invention except for including automatic reporting, maintenance scheduling, and administrative tracking programs in the customer interface device. The Office Action attempts to cure such deficiencies of Conkright with the teachings of Vines.

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Specifically, the Office Action asserts that Vines teaches a dynamic maintenance management system comprising a monitoring and analysis process for sending and receiving process control data to and from sensors and devices over a communication bus (column 3, lines 33-37); and that Vines teaches sending this information to a DMM configurator that processes the information (column 3, lines 53-65) to automatically provide reports describing device operation, preventive maintenance schedules, and administrative tracking (i.e. creating work orders including worker assignment) (column 5, lines 17-29 and 50-61 and Figures 3-9).

In the Office Action, the Office Action asserts that it would have been obvious to one having ordinary skill in the art to modify the invention of Conkright to include automatic reporting, maintenance scheduling, and administrative tracking programs in the customer interface device, as taught by Vines.

However, it is respectfully submitted that even if it were obvious to somehow combine the teachings of Conkright with Vines, such combination would fail to teach or suggest the invention of claims 1 and 12.

Accordingly, it is respectfully submitted that the applied art, either alone or in combination, fails to teach or suggest the features as set forth in claims 1 and 12. Thus, dependent claims 7-9 and 18-20 define patentable subject matter based on their various dependencies on such independent claims, as well as the additional features such dependent claims recite. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

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D. The Rejection of Claims 6 and 17

Claims 6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conkright in view of U.S. Patent No. 5,712,896 to Lee et al. (Lee). This rejection is respectfully traversed.

Lee is directed to a method of diagnosing a fault of a digital exchanger. The Office Action asserts that Conkright teaches all of the features of the claimed invention except for an expert database. The Office Action attempts to cure the deficiencies of Conkright with the teachings of Lee.

Specifically, the Office Action asserts that it would have been obvious to one having ordinary skill in the art to modify the invention of Conkright to include an expertise database, as taught by Lee, because, as suggested by Lee, the combination would have provided a method for determining the type of fault that has occurred without the need of an expert in the field by providing interactive questions that guide the user through the process, and therefore allowed the diagnosis to be conducted immediately by an unskilled worker.

However, it is respectfully submitted that even if it were obvious to somehow combine the teachings of Conkright with Lee, such combination would fail to teach or suggest the invention of claims 1 and 12, so as to cure the deficiencies of the applied art, as discussed above.

Accordingly, it is respectfully submitted that the applied art, either alone or in combination, fails to teach or suggest the features as set forth in claims 1 and 12. Thus, dependent claims 6 and 17 define patentable subject matter based on their various dependencies

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on such independent claims, as well as the additional features such dependent claims recite.

Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

E. The Rejection of Claims 11 and 22

Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conkright in view of Hill, Vines, Lee, and International Publication Number WO 00/04427 to Parsons (Parsons). This rejection is respectfully traversed.

The teachings of Hill, Vines and Lee are discussed above. Parsons is directed to an apparatus that allows for the monitoring and control of an electrical appliance or a utility. Parsons explains that this is achieved by using a master web server that can communicate with remote slave nodes using a protocol for control and automation over networks of different media.

The Office Action asserts that Conkright teaches many of the features of the claimed invention including specifying that the host computer connect to the customer interface through the Internet, but does not teach including monitoring equipment for measuring the voltage of the utility device, including automatic reporting, maintenance scheduling, and administrative tracking programs, including an expertise database, or specifying that the connection between the monitoring equipment and the host computer be the Internet. The Office Action in turn applies each of the applied art, as discussed above.

In particular, the Office Action asserts that Parsons teaches an internet utility interconnect means, and corresponding method, comprising operating a remote control and monitoring system that replicates data between a host computer located at a central server site and a set of automation nodes located at a remote site wherein the means to link the data collected for

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subsequent access is through the Internet (page 6, lines 15-32). Further, the Office Action asserts that it would have been obvious to one having ordinary skill in the art to modify the invention of Conkright to include specifying that the connection between the monitoring equipment and the host computer be the Internet, as taught by Parson, because, as suggested by Parsons, the combination would have allowed the web server to be changed by authorized users and therefore enabled residents and other subscribers to conveniently turn on the connected devices whenever desired.

However, it is respectfully submitted that even if it were obvious to somehow combine the teachings of Conkright with the other applied art, such combination would fail to teach or suggest the invention of claims 11 and 22, for the same reasons as discussed above with respect to claims 1 and 12.

Accordingly, it is respectfully submitted that the applied art, either alone or in combination, fails to teach or suggest the features as set forth in claims 11 and 22. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

II. Conclusion

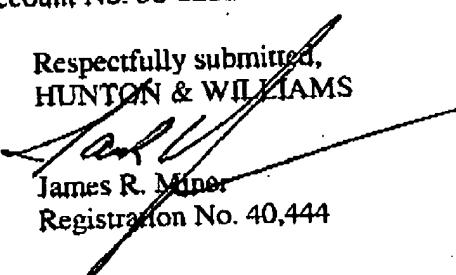
For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

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For any fees due in connection with filing this Response the Commissioner is hereby
authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,
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